

1 Bail Reform Act.

2 THE COURT: That's my practice is where -- Mr.  
3 Tucker, do you agree that this is a presumption case?

4 MR. TUCKER: I do, Your Honor.

5 THE COURT: Then I will have the defendant go forward  
6 first because it is the defendant's burden.

7 MR. TUCKER: Do you wish us to approach the podium,  
8 for him to take the stand or remain at counsel table? Because  
9 I've got some bond questions I've got to ask him.

10 THE COURT: For the defendant, it's fine for him to  
11 approach the podium. I think that's best.

12 DONALD S. ADAMS,  
13 having been first duly sworn, was examined and testified as  
14 follows:

15 THE CLERK: Please state your full name and spell  
16 your last name for the record.

17 THE DEFENDANT: Donald Stephen Adams, A-d-a-m-s.

18 DIRECT EXAMINATION

19 BY MR. TUCKER:

20 Q. Mr. Adams, how old are you?

21 A. 62.

22 Q. And your date of birth?

23 A. 10/4/56.

24 Q. And where do you currently reside?

25 A. Currently I've been staying at 130 Old Buddy Road. I

1 believe it's Waynesville.

2 Q. Would that be in Glynn County or Brantley County?

3 A. Brantley County.

4 Q. And who lives there with you?

5 A. My wife and friend's of her mother.

6 Q. And how long have you resided at that address?

7 A. About a week.

8 Q. And where did you reside before then?

9 A. Salvation Army.

10 Q. And where did you reside before then?

11 A. I was at motels, different motels, working as a  
12 maintenance man for room and board.

13 Q. How long have you been residing inside the Southern  
14 District of Georgia, which basically goes the corner of the  
15 state from Augusta to Valdosta, which would include Brunswick,  
16 Camden County, Ware County, how long have you been lived here?

17 A. I first moved down here in I believe it was '93.

18 Q. And have you been here on a continuous basis since  
19 that time or have you lived in other places?

20 A. I -- the only -- well, I've lived in -- it's been in  
21 South Carolina and also in Arizona during that time for short  
22 periods of time because of the job I had transferred me to  
23 those states.

24 Q. And what type of work have you done over the last ten  
25 years?

1           A.     The last ten years, I've done retail, construction,  
2 maintenance. Now I'm doing work over at -- I've been doing  
3 work over at the port as far as driving and QCM.

4           Q.     Do you have a TWIC card?

5           A.     Yes, sir, I do.

6           Q.     And what type of work -- are you actually driving at  
7 the port or offloading trucks and vehicles at IAP or are you --

8           A.     No.

9           Q.     -- driving trucks that are hauling materials to take  
10 off the port site?

11          A.     No, I'm not driving -- I'm just driving cars from  
12 Point A to Point B on the port.

13          Q.     And how long have you been employed in that status?

14          A.     About a month.

15          Q.     Is your employer G-Star Staffing?

16          A.     Yes, it is.

17          Q.     Is that a temporary agency?

18          A.     It -- it is, but it isn't because you work full time,  
19 but IAP finds it's cheaper to go that route than to hire  
20 themselves, and then -- then they can pick through the people  
21 to see who they want to go company.

22          Q.     Do you have any children?

23          A.     No, sir.

24          Q.     Do you have any family that resides outside the state  
25 of Georgia?

1 A. I have a mother and sister that reside in Florida.

2 Q. Do you have a passport?

3 A. No, sir.

4 Q. Have you ever traveled outside the continental United  
5 States for any reason?

6 A. When I was with -- young, I lived in Japan for four  
7 and a half years because my dad was in the navy.

8 Q. And what was the last time you've traveled outside  
9 the continental United States?

10 A. Might have gone down to Mexico a couple of times when  
11 I was a teenager.

12 Q. When is the last time, 40 years ago?

13 A. Easily.

14 Q. The preservices report indicates that you have a  
15 prior conviction for possession of a controlled substance for  
16 sale in San Bernardino, California back in 1988. Do you recall  
17 that incident?

18 A. Yes, sir.

19 Q. Did you receive three years' probation and 240 days  
20 in jail?

21 A. I believe it was something like that.

22 Q. Did you complete that probation without any problem?

23 A. Yes, sir.

24 Q. Have you been on probation anywhere else since 1988?

25 A. No, sir.

1 Q. Have you been convicted of any crimes since 1988?

2 A. No, sir.

3 Q. Have you had any criminal offenses or been charged  
4 with anything since 1988?

5 A. No, sir.

6 Q. Do you know anything about a theft by shoplifting  
7 that allegedly occurred on 11/23, November 23rd, 2015?

8 A. Yes, sir. I know that -- I was never charged -- I  
9 mean, I was arrested, but I was never charged.

10 Q. To your knowledge, has that case not been prosecuted?

11 A. There was nobody came down and filed from the store  
12 from what I was told.

13 Q. And also on the preservices report there's apparently  
14 a 1990 arrest in San Bernardino, California for transporting  
15 controlled substances. The disposition is unknown. Do you  
16 know anything about that charge?

17 A. No, sir, I do not.

18 Q. Do you recall anything about it?

19 A. No, sir, I do not.

20 Q. Are those the only two times in your life you recall  
21 that you've been arrested is when you were in San Bernardino in  
22 1988 and the shoplifting charge in 2015, which has not been  
23 pursued?

24 A. Yes, sir.

25 Q. Have you ever been involved in a violent crime

1 before?

2 A. No, sir.

3 Q. Do you have any reason to give The Court or should  
4 The Court be concerned that if it gives you a bond that you  
5 will break the law?

6 A. No, sir.

7 Q. Does The Court have any reason to be concerned that  
8 if he were to give you a bond that you would continue to deal  
9 in drugs?

10 A. No, sir.

11 Q. Do you have any reason to believe or does The Court  
12 have any reason to have concerns that if you were released on  
13 bond that you would fail to appear to court when required to do  
14 so?

15 A. No, sir. If I was going to do that, I would have  
16 done it when they first interviewed me.

17 Q. And you weren't arrested until Monday; is that  
18 correct?

19 A. Yes.

20 Q. And you were interviewed in September of 2018 about  
21 this offense?

22 A. Yes, sir.

23 Q. This offense allegedly occurred back in December of  
24 last year; is that correct?

25 A. Yes.

1 Q. And did you know prior to September that you were  
2 being investigated?

3 A. No, sir.

4 Q. And did you cooperate fully with the investigators  
5 when they interviewed you in September of 2018?

6 A. Yes, sir.

7 Q. Did you tell them everything that you knew about this  
8 particular offense?

9 A. Yes, sir.

10 Q. Did you make admissions about your conduct?

11 A. Yes, sir.

12 Q. Did they tell you at that point in time that you were  
13 going to be arrested and charged with this offense?

14 A. No, sir.

15 Q. Did you have reason to believe that you were going to  
16 be arrested and charged with this offense?

17 A. No, sir.

18 Q. And yet you made no attempt to leave the jurisdiction  
19 of the State of Georgia, did you?

20 A. No, I did not, sir. I tried to find a job to be  
21 stable with me and my wife right here.

22 Q. If The Court were to release you on bond, would you  
23 attempt to intimidate any witness or attempt to obstruct  
24 justice?

25 A. No, sir.

1 Q. Would you pose a threat or a danger to the community?

2 A. No, sir.

3 Q. Are you willing to wear an ankle monitor if The  
4 Court grants you a bond?

5 A. Yes, sir.

6 Q. And are you going to continue to have your employment  
7 with G-Star Services?

8 A. I am certainly going to try, but I was arrested on  
9 the property there, so I don't know how that goes.

10 Q. Do you have any assets, homes, anything that you  
11 could use, any family member could use to put up a bond on your  
12 behalf?

13 A. Unfortunately, no, sir.

14 Q. What is the financial condition of your parents or  
15 family who live down in Florida? Are they in a position where  
16 they could come up here and help you post a bond?

17 A. Probably not. My mom is retired. All she has is my  
18 dad's retirement pension. I wouldn't even ask her, you know.

19 Q. Okay. In addition --

20 A. And she would refuse anyway.

21 Q. In addition, there's been some substance abuse  
22 allegations contained in the preservice report that you last  
23 used alcohol approximately a week ago, last used cocaine  
24 approximately four months ago, last used heroin approximately  
25 eight months ago and used prescription opiates approximately



1       six months ago. Would that be correct?

2           A.     Yes, sir.

3           Q.     If you were tested today, would you be positive for  
4       any controlled substances?

5           A.     No, I do not believe so.

6           Q.     Are you asking The Court to give you a bond?

7           A.     Yes, I do.

8           MR. TUCKER: Your Honor?

9           THE DEFENDANT: The reason I'm asking for this bond  
10       is my wife has COPD. She cannot find a job herself because she  
11       can't hardly breathe. I need to be able to work to make some  
12       money so that when this case comes to trial and that, that she  
13       will be able to continue.

14          MR. GILLULY: I would love the opportunity to cross  
15       if --

16          THE COURT: Any objections, Mr. Tucker?

17          MR. TUCKER: Not at all.

18          MR. GILLULY: May I either do it from here or either  
19       have the witness --

20          THE COURT: I think if the witness would come up to  
21       the witness stand for any cross-examination.

22                   CROSS-EXAMINATION

23       BY MR. GILLULY:

24           Q.     Mr. Adams, were you in here when the Judge explained  
25       the charges but when I went over the penalty for this offense?

1 A. Yes, sir, I --

2 Q. So you understand that with a prior drug conviction,  
3 which you do have; correct?

4 A. Yes, sir.

5 Q. You realize you're looking at not less than life in  
6 prison if you are convicted?

7 A. Yes, sir.

8 Q. And, you know, you talked to the FBI agent -- one of  
9 these individuals is in the courtroom -- is that one of the  
10 agents you talked to?

11 A. Yes, sir.

12 Q. And when you interviewed with him, he didn't tell you  
13 what to say, did he?

14 A. No, he didn't.

15 Q. No. In fact, he didn't put you in handcuffs. He  
16 didn't demand that you answer his questions. You answered his  
17 questions freely and voluntarily; correct?

18 A. Yes, sir, I did.

19 Q. Without any kind of coercion?

20 A. Yes, sir.

21 Q. Without any promises?

22 A. Yes, sir.

23 Q. And during that interview, you told him that you, you  
24 know, you sold heroin --

25 A. No, sir.

1 Q. -- with -- okay. It's your testimony you did not  
2 admit to delivering heroin?

3 A. I delivered, yes. I did not sell.

4 Q. Delivered heroin from Makeda Atkinson?

5 A. Yes, sir.

6 Q. And you delivered heroin that you got from Makeda  
7 Atkinson. In fact, he would give you drugs so that -- as a  
8 form of kind of payment; is that right?

9 A. More or less.

10 Q. And you had an addiction problem or have one  
11 yourself; right?

12 A. I don't have one anymore.

13 Q. You last used heroin about eight months ago, but you  
14 were using it at least on a weekly basis; right?

15 A. Yes.

16 Q. And prescription opioids you last used about six  
17 months ago, and you were using those on a weekly bass?

18 A. Pretty much.

19 Q. And you would agree that the heroin you were getting,  
20 you were unlawfully getting it?

21 A. Yes, sir.

22 Q. And the opioids, those weren't from prescriptions?

23 A. No, sir.

24 Q. You were getting those illegally, too?

25 A. Yes, sir.

1           Q.     And cocaine, about last used four months. Obviously  
2     it's illegal to possess cocaine; right?

3           A.     Yes, sir.

4           Q.     You know, one of the things that the lawyer asked you  
5     about, in addition to some of the questions by the agent, was  
6     where you were living. You would agree with me that you don't  
7     own a house?

8           A.     No, sir.

9           Q.     You don't have any assets?

10          A.     No, sir.

11          Q.     In fact, when the agents interviewed you, you were at  
12     a homeless shelter?

13          A.     Yes, sir.

14          Q.     And you were, prior to the homeless shelter, you were  
15     bouncing around from motel to motel for like four years?

16          A.     Yes, sir.

17          Q.     And not only do you or did you have an addiction  
18     problem but your wife did, too?

19          A.     Yes, sir. I basically -- for the first two and a  
20     half years, we were at the same motel.

21          Q.     And then after the two and a half, before, you know,  
22     while you were -- for the last four years, while you were doing  
23     maintenance work at various motels in exchange for room and  
24     board, some of that time your wife wasn't with you; some of the  
25     time she was?

1 A. She was pretty much with me.

2 Q. Doing drugs with you also at times?

3 A. Yes, sir.

4 Q. Okay. And in fact, it was at a hotel that you  
5 sometimes would even deliver some of the drugs for Mr.  
6 Atkinson?

7 A. From -- deliver from but not to the motel.

8 Q. But you would be at the hotel where it would be  
9 dropped off?

10 A. No. He would be at the motel also.

11 Q. But you would also serve people from that hotel?

12 A. Yes. He was -- he was busy with other things and he  
13 would ask me to take this to this person.

14 Q. Okay. With regard to your job, it is a job that is  
15 with a temporary service; right?

16 A. Yes, sir.

17 Q. You don't know if you're going to have that job  
18 because you were arrested by law enforcement from work; right?

19 A. Yes, sir. Right.

20 Q. After agents interviewed you while you were at the  
21 homeless shelter, after that, you soon after moved; is that  
22 right?

23 A. No, sir.

24 Q. When did you move?

25 A. The Monday before I was arrested.

1 Q. So it's just as recent as the Monday before you were  
2 arrested you moved to another location?

3 A. Yes, sir.

4 Q. And you haven't been working consistently for even a  
5 month; is that right?

6 A. Yes, sir, I have.

7 Q. Well, you started September 24th; right?

8 A. Somewhere around there.

9 Q. Okay. And you don't know if that job will be around  
10 when you get out; that's fair to say?

11 A. Well, I'm pretty sure that if I get out on bond that  
12 I can work off site. I can't work on the port itself with an  
13 open case.

14 Q. Okay.

15 A. But I can work off site.

16 Q. And are you aware that law enforcement was looking  
17 for you for over two weeks before they found you?

18 A. I had no clue.

19 Q. And they actually had to come on the port to find you  
20 because you weren't at the same location you were when they  
21 interviewed you the first time?

22 A. But I had told them that I was working at the port.  
23 As a matter of fact, I was on my way to work when they picked  
24 me up.

25 Q. And are you still getting help for your mental

1 condition? Do you have -- bipolar; right?

2 A. Well, they -- that's what I was -- but I don't seem  
3 to have any problems.

4 Q. Okay.

5 A. I haven't taken anything in several years.

6 Q. You last went to a counselor, I believe, was in May  
7 of 2018 for stress-related issues?

8 A. Yes, sir. That was my wife -- my stepdaughter had  
9 just been admitted to the hospital and my wife drank -- had  
10 tried to commit suicide.

11 MR. GILLULY: Okay. That's all the questions I have,  
12 Your Honor.

13 DIRECT EXAMINATION

14 BY MR. TUCKER:

15 Q. Mr. Adams, without going indepth conversations about  
16 the acts that you're accused of, let me ask you, sir: Did you  
17 know that you were distributing fentanyl --

18 A. No, sir, I did not.

19 Q. -- on September 27th, 2000 -- I'm sorry. On December  
20 of 2017?

21 A. No, sir, I did not.

22 Q. Did you think it was heroin?

23 A. Yes, sir.

24 Q. Is that what you had been told it was?

25 A. That's what I was told it was.

1 Q. Did you ever have any intent to distribute fentanyl?

2 A. No, sir.

3 Q. If you had known it was fentanyl, would you have  
4 taken it to anybody?

5 A. No, sir.

6 Q. At the time it was delivered by you, did you have any  
7 suspicion, understanding or knowledge that it was anything  
8 other than heroin?

9 A. No, sir, I did not.

10 MR. TUCKER: Thank you, sir.

11 THE COURT: Mr. Adams, you can step down.

12 Mr. Tucker, any additional witnesses?

13 MR. TUCKER: No, Your Honor.

14 THE COURT: Any other argument you would like to  
15 present?

16 MR. TUCKER: No, Your Honor.

17 THE COURT: Mr. Tucker, just a couple of questions  
18 that I would like to ask.

19 MR. TUCKER: Sure.

20 THE COURT: I understand that -- I believe it's 130  
21 Bay Road is the residence.

22 THE DEFENDANT: Old -- Old Buddy Road.

23 THE COURT: Old Bay.

24 THE DEFENDANT: Old Buddy, B-u-d-d-y.

25 THE COURT: Old Buddy.



1 THE WITNESS: Like a buddy.

2 THE COURT: Mr. Tucker, I understand that's only one  
3 week at that residence. Is that a rental property?

4 THE DEFENDANT: Yes, it is a rental property.

5 THE COURT: And is there a lease on that property?

6 THE DEFENDANT: I believe the lady that is living  
7 there and my wife's friend has a lease on it.

8 MR. TUCKER: Are you literally living with someone  
9 else who has a lease?

10 THE DEFENDANT: Pretty much, yes, sir. She's -- the  
11 lady has had a brain tumor removed and her daughter is  
12 incarcerated and her daughter has asked my wife and I to look  
13 out for her while she's incarcerated.

14 MR. TUCKER: May we inquire as to what her daughter's  
15 name is?

16 THE DEFENDANT: Chrissy Westcott.

17 THE COURT: I'm sorry, could you say that a little  
18 louder?

19 THE DEFENDANT: Or actually I think Chrissy is  
20 here -- her real name is Geneva.

21 THE COURT: Westcott is the last name?

22 THE DEFENDANT: Yes. Yes, sir.

23 THE COURT: And Geneva Westcott is the tenant at that  
24 property?

25 THE DEFENDANT: No, that's the daughter.

1 THE COURT: That's the daughter.

2 THE DEFENDANT: Yes, sir.

3 MR. TUCKER: And I asked that name, Your Honor,  
4 because we've got so many felony indictments out of Brantley  
5 County for distribution of meth and sale of meth, I can't  
6 remember if that's one of them that we've been dealing with or  
7 not, so...

8 THE COURT: Understood. Has there been any  
9 communication with G-Star about employment since this arrest?

10 THE DEFENDANT: I didn't really --

11 THE COURT: Have you made any contact with G-Star,  
12 your previous employer, about ongoing employment since this  
13 arrest has been made.

14 THE DEFENDANT: No, sir, I have not. I don't have  
15 any money on my books, so I can't make no phone calls.

16 MR. TUCKER: Don't have any phone access.

17 THE COURT: Mr. Gilluly, do you have any evidence or  
18 argument you would like to present?

19 MR. GILLULY: Yes, Judge, I would like to call John  
20 Wood to the stand.

21 SPECIAL AGENT JONATHAN WOOD,  
22 having been first duly sworn, was examined and testified as  
23 follows:

24 THE CLERK: Thank you. You may be seated. Please  
25 state your full name, spell your last name for the record, state

1 your occupation and your business address.

2 THE WITNESS: Jonathan Wood, W-o-o-d, special agent  
3 with the FBI, and we work at 117 Northpark Drive here in  
4 Brunswick.

5 DIRECT EXAMINATION

6 BY MR. GILLULY:

7 Q. Agent Wood, are you one of the investigators against  
8 Donald Adams, who is present in the courtroom?

9 A. I am.

10 Q. And did you have any difficulty finding him after the  
11 arrest warrant was issued for his arrest?

12 A. Yes.

13 Q. Can you tell The Court about that.

14 A. Forget the exact date. I believe it was two Fridays  
15 ago the warrant was issued. We have been looking consistently  
16 since then, utilizing numerous techniques at our disposal, and  
17 it was only recently that we were able to locate him.

18 Q. When you interviewed him originally, he was at a  
19 homeless shelter?

20 A. Correct.

21 Q. And then after, the next time you tried to find him,  
22 obviously he was not there?

23 A. He was not.

24 Q. Is that correct?

25 A. No.

1 Q. Did you have an opportunity to talk to his wife about  
2 where he was located?

3 A. Yes. Just a couple days ago.

4 Q. And then that's when you learned --

5 A. Correct.

6 Q. -- where he was located. Is that when you went and  
7 arrested him?

8 A. Yes.

9 Q. And the defense lawyer went into a little bit about  
10 the statement. Let me ask you: Did this defendant admit to  
11 distributing a controlled substance in conjunction with Mr.  
12 Atkinson, his defendant?

13 A. Yes.

14 Q. Did he admit distributing controlled substance the  
15 very night before the victim of this death died?

16 A. Yes.

17 Q. And did he indicate to you whether or not that was  
18 the only time he had ever distributed a controlled substance?

19 A. He said that was not the only time. He didn't say --  
20 I would have to go back to our report, but that was not the  
21 first time.

22 Q. Sure. Did he explain like how he benefited by  
23 distributing drugs for Mr. Atkinson?

24 A. Just that he would -- our understanding is that he  
25 would receive payment in the form of drugs. I don't know if

1       there was a monetary benefit as well between he and Mr.  
2       Atkinson but that he would receive drugs as payment sometimes  
3       for the assistance.

4           Q.     And, in fact, with regard to the overdose death, is  
5       it true that this defendant is the one who physically  
6       distributed the drugs to the victim --

7           A.     Correct.

8           Q.     -- who thereafter ingested it and died?

9           A.     Yes.

10          Q.     Do you know how old this woman was?

11          A.     Maybe in her thirties.

12          Q.     Did she have any children?

13          A.     Yes.

14          Q.     Do you know who found the dead woman?

15          A.     Yeah, their daughter.

16          Q.     Five-year-old daughter?

17          A.     Right.

18                 MR. GILLULY: That's all the questions I have, Your  
19       Honor.

20                                 CROSS-EXAMINATION

21       BY MR. TUCKER:

22           Q.     Good morning.

23           A.     Good morning.

24           Q.     Am I correct that the complaint was filed on October  
25       the 12th, 2018; is that correct?

1           A.     I would have to see it, but that sounds about right.

2           MR. TUCKER:   May I approach, Your Honor?

3           THE COURT:    Sure.

4           THE WITNESS:  Yes.

5           Q.     (By Mr. Tucker)  Attached to that complaint -- I'm  
6     sorry, and attached to that complaint is an affidavit that you  
7     prepared, I believe; is that correct?

8           A.     Correct.

9           Q.     We've determined this morning that that affidavit has  
10    some factual inaccuracies about the dates.  It says this  
11    incident occurred on December 28th, 2018 but it's actually  
12    December 28th, 2017.

13          A.     Correct.

14          Q.     How long have you been actively investigating this  
15    particular incident?

16          A.     Since -- I want to say July, the end of July, maybe  
17    the beginning of August it was brought to our attention.  We  
18    had been aware of the -- the distribution, narcotics  
19    distribution, by Mr. Atkinson, but we were filled in more once  
20    we collaborated with CID at Glynn County as to the bigger  
21    picture going on here.  Probably end of July, beginning of  
22    August.

23          Q.     I believe that the victim's mother is actually the  
24    one who pointed out Mr. Adams as being the one that physically  
25    sold the substance to her daughter because she delivered her

1 daughter to the -- to the place where it was distributed?

2 A. Correct, she was the driver.

3 Q. Am I correct that you first interviewed Mr. Adams on  
4 September the 27th, 2018?

5 A. Correct.

6 Q. Did you tell him at that point in time that he was  
7 the subject of an investigation?

8 A. I personally was not involved in his interview. That  
9 was one of the task force officer on our task force and an  
10 investigator with Glynn County, criminal investigative  
11 division, but, yes, he was asked to come in and answer  
12 questions.

13 He was advised of his Miranda right and then said he  
14 would willingly talk to law enforcement, and then we just got  
15 into the story, so he was aware of the investigation.

16 We did not tell him whether or not he was under  
17 arrest or was being looked at for charges.

18 Q. Is any part of his statement that you've been at that  
19 you've been able to verify that is untrue or false?

20 A. Say that again. Sorry. Is there any part of his  
21 statement?

22 Q. That you have been able to verify that it is untrue  
23 or false?

24 A. No. Out of the -- a lot of the facts that he stated,  
25 we were able to corroborate. Obviously we're not going to know

1 if he's telling -- if every detail is the truth or not, but if  
2 you have something particular, I would be happy to answer that,  
3 but, no, I mean, nothing that I've discovered that he's just  
4 lying to us about that I know of.

5 Q. Well, that's my question. Do you know of anything  
6 that he's lying about?

7 A. No, not that I know, except that earlier he claimed  
8 that he told us he was at the port. We don't have any  
9 knowledge of that. That was the -- obviously, we would not  
10 have looked for a week and a half or almost two weeks if we  
11 knew he was at the port.

12 Q. Let's ask that. You knew that he was at the homeless  
13 shelter?

14 A. Correct.

15 Q. And if the complaint was filed on the 12th?

16 A. Uh-huh.

17 Q. And he didn't leave the homeless shelter until the  
18 17th, is there any particular reason during that six-day period  
19 of time y'all couldn't find him?

20 A. It -- I believe it was signed Friday. We didn't  
21 begin actively looking for him until Monday or Tuesday, and,  
22 yes, we did go to the homeless shelter, spoke to the manager.

23 He had not reported there for -- I want to say the  
24 first time he had not reported the night before, and so it was  
25 just poor timing by the time we -- I mean, we went straight



1       there to the homeless shelter, but he had not stayed there the  
2       night before.

3           Q.     Well, you don't know of any evidence that he fled  
4       to Brantley County to avoid arrest, do you?

5           A.     No.

6           Q.     And he was actually arrested going to work to the  
7       port?

8           A.     Coming home from work.

9           Q.     Coming home?

10          A.     Uh-huh.

11          Q.     How was it that you knew where to physically find  
12       him?

13          A.     We -- we were able to contact his wife.

14          Q.     Okay.

15          A.     And we discovered that they were living in Brantley  
16       County or had reason to believe that they were at a house  
17       located in Brantley County.

18                 His wife told us that he was working at the port, and  
19       so later, either later that -- I believe it was later that day,  
20       we found him at the port.

21          Q.     And when he was arrested, was it done by a  
22       plainclothes officer or blue lights, traffic stop?

23          A.     No. They just approached him on foot, plainclothes.

24          Q.     Did he make any attempt to flee?

25          A.     No. It was the officers that had interviewed him

1 previously, so he -- he knew who they were.

2 Q. Was he compliant?

3 A. Yes.

4 Q. Give any trouble?

5 A. No.

6 Q. Commit any acts of violence?

7 A. No.

8 Q. Cuss anybody like a dog?

9 A. No.

10 Q. Anything but respectful?

11 A. No.

12 MR. TUCKER: That's all I have, Your Honor.

13 THE COURT: Any redirect, Mr. Gilluly?

14 MR. GILLULY: No, Your Honor.

15 THE COURT: Thank you, Agent. You can step down.

16 MR. GILLULY: Just argument at the appropriate time.

17 THE COURT: No further witnesses?

18 MR. GILLULY: That is correct, Your Honor.

19 THE COURT: Mr. Gilluly, if you would like to present  
20 your argument.

21 MR. GILLULY: Yes, please.

22 Judge, we are asking that this defendant be detained.  
23 Congress, when it enacted the Bail Reform Act, took into  
24 consideration certain charges, and with those charges, they  
25 found them to be of such a serious nature that Congress created